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8 UNITED STATES DISTRICT COURT  
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10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 ZAPPOS.COM, INC.,  
13 Plaintiff,

14 vs.

15 SHOEBUY.COM, INC.

16 Defendant.

CASE NO. CV 06-5476 PJH

**JOINT STIPULATION AND [PROPOSED]  
ORDER EXTENDING DEADLINES**

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18 **Stipulation**

19 Pursuant to Civil L.R. 6-2, Plaintiff ZAPPOS.COM ("Zappos") and Defendant  
20 SHOEBUY.COM, INC ("Shoebuy") (collectively "the Parties") hereby stipulate and move this  
21 Court for an Order extending the dates set by the Court on December 14, 2006.

22 WHEREAS, on December 14, 2006 the Court ordered that (i) submission of initial  
23 disclosures be within two weeks, but recognized that the parties may agree to a later date in view  
24 of holiday scheduling, (ii) Shoebuy produce within thirty (30) days the dates that the photos  
25 identified by Zappos in its initial disclosures were posted on, and removed from, Shoebuy's  
26 website, to the best of its ability; (iii) within sixty (60) days any stipulation to amend the  
27 complaint or motion to amend the complaint be filed, (iv) within thirty (30) days of receipt of  
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1 initial disclosures any motion to transfer be filed; and (v) a further case management conference  
2 be held on May 31, 2007 at 2:30 p.m.;

3 WHEREAS the Parties agreed to extend the time to exchange initial disclosures, first to  
4 account for holiday scheduling and then to permit meaningful settlement discussions;

5 WHEREAS if the Parties had not agreed upon postponing the exchange of initial  
6 disclosures, and had exchanged them on December 28, 2006, Shoebuy's motion to transfer would  
7 be due on January 29, 2007;

8 WHEREAS the Parties have engaged in fruitful settlement discussions and are in the  
9 process of finalizing their agreement;

10 WHEREAS the Parties wish to postpone all pending deadlines other than the Case  
11 Management Conference on May 31, 2007 so that they can finalize their settlement agreement and  
12 file a stipulation of dismissal with prejudice;

13 The Parties jointly stipulate and propose that the Court's December 14, 2006 order be  
14 modified as follows: (1) by February 21, 2007 initial disclosures be exchanged, (2) by March 7,  
15 2007 Shoebuy produce dates that photos identified by Zappos in its initial disclosures were posted  
16 on and removed from its website, to the best of its ability, (3) by March 23, 2007, Shoebuy file its  
17 motion to transfer, and (4) by March 23, 2007 any stipulation to amend the complaint or motion to  
18 amend the complaint be filed.

19 Previously, the Parties have stipulated to extending defendant's time to file an answer or  
20 responsive pleading. Because the Parties are in the process of finalizing a written settlement  
21 agreement, they do not believe that the requested time modification would affect the ultimate  
22 schedule of this case other than to facilitate an expedient resolution of this action.

23 DATED: January 26, 2007

SHARTSIS FREISE, LLP

24  
25 By: /s/ Richard F. Munzinger

26 Richard F. Munzinger  
27 Attorneys for Plaintiff  
28 ZAPPOS.COM

1 DATED: January 26, 2007

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

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3 By: /s/ Margret M. Caruso  
4 Margret M. Caruso  
5 Attorneys for Defendant  
SHOEBUY.COM, INC.

6 **PROPOSED ORDER**

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8 PURSUANT TO STIPULATION, IT IS SO ORDERED  
9 DATED: January 26, 2007  
2/1/07

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11 Hon. Phyllis J. Hamilton  
12 UNITED STATES DISTRICT COURT  
13 JUDGE  
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